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CRP No. 1383 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 1383 of 2026 and CMP No.6667 of 2026

1. G.R.Ramesh Babu,
S/o. Rangiah Naidu, Kavankolathur Village,
Tiruvallur Taluk and District. and 4 Others
2. Vinodh
Grandson of Late Rangiah Naidu, S/o Late
Krishnamurthy, Res at Old Kesavaram
Village, Arakonam Taluk, Vellore District
3. Vivek
Grandson of Late Rangiah Naidu, S/o Late
Krishnamurthy, Res at Old Kesavaram
Village, Arakonam Taluk, Vellore District
4. Vignesh
Grandson of Late Rangiah Naidu, S/o Late
Krishnamurthy, Res at Old Kesavaram
Village, Arakonam Taluk, Vellore District
5. P.Kasturi
W/o P.Kuppusamy Pennalur Village
Uthiramerur Taluk Kanchipuram District

Petitioner(s)

Vs

1. G.R.Sridharan (Died) 1.S.Srinivasan
S/o.Late G.R.Sridharan, Res at Plot
No.1178, H Block, 26th Street, Anna Nagar
West, Chennai 600 040



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2.R.Pramila

Res at Plot No.1178, H Block, 26th Street,
Anna Nagar West, Chennai 600 040

3.S.Lokabiraman

Res at Plot No.1178, H Block, 26th Street,
Anna Nagar West, Chennai 600 040

4.G.R.Damodaran

S/o Late Rangiah Naidu, Res at Naidu
Street, Perambakkam Village and Post,
Tiruvallur Taluk

5.G.R.Alavandar

S/o Late Rangiah Naidu, Res at Naidu
Street, Perambakkam Village and Post,
Tiruvallur Taluk

6.Manjula

W/o Late Balabadiran, Res at Naidu Street,
Perambakkam Village and Post, Tiruvallur
Taluk

7.Rasikala

W/o Murali, No.19, Ayyavo Street, Shenoy
Nagar, Chennai 600 030

8.Gajalakshmi

W/o Yuvaraj, C/o Manjula Res at Naidu
Street, Perambakkam Village and Post,
Tiruvallur Taluk

Respondent(s)

Revision Petition filed under Article 227 of the Constitution of India against the order dated 04.02.2026 in I.A.No.19 of 2026 in O.S.No.33 of 2014 passed by the learned I Additional District Judge at Tiruvallur.

For Petitioner(s): V.P.Dillibabu

For Respondent(s): Mr.Guruprasad
For R.1 to R.3
R.4 to R.8 – Batta due



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ORDER

Challenging the impugned order passed in I.A.No.19 of 2026 in O.S.No.33 of 2014, the defendants 3,5,6,7 and 10 have preferred the above revision.

2. Before the trial Court, the defendants 3,5,6,7 and 10 have filed an application in I.A.No.19 of 2026 under Order VI Rule 17 of Civil Procedure Code to amend the written statement. On hearing both sides, the trial Court dismissed the application and aggrieved by the same, the defendants 3,5,6,7 and 10 have preferred the above revision.

3. Learned counsel for the revision petitioners submits that at the time of filing written statement, vast extent of lands belonging to one Rajaram Naidu was omitted to be included in the suit and also submits that nearly 10 acres along with house site in the village are under their possession and enjoyment, but, however, there was a dispute between the plaintiffs and his father and other sons and further submitted that Rajaram Naidu did not execute any Will in favour of his brother's son.

4. During the trial, there was omission to mention about the survey numbers



of the properties, belonging to Rajaram Naidu and therefore, they want to include the same in the written statement by way of amendment, but the court failed to give such opportunity to the revision petitioners and dismissed the application. Learned counsel also submits that by including the survey numbers, it would not change the character of the defence nor it introduces any new cause of action and therefore prays for the revision being allowed.

5. Learned counsel for the respondents raised objection stating that the properties belonging to Rajaram Naidu is a separate property and during his life time, he executed a Will in favour of his brother's son and they purchased from the legalheirs of the beneficiary in the year 2003 and as on date, an extent of 10.57 acres is under their enjoyment and it is a separate property and it is not joint family property nor it belongs to the plaintiffs' father Rangaiah Naidu. The plaintiffs claim partition only in the properties belonging to Rangaiah Naidu. Therefore, the alleged amendment is not sustainable by including the survey numbers of the properties, belonging to Rajaram Naidu and as on date, it absolutely belongs to the plaintiffs by way of purchase. Therefore, the trial Judge has rightly dismissed the application, which requires no interference.



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6. Learned counsel for the respondents also submits that the revision petitioners filed an application in I.A.No.10 of 2023 praying to amend the description of the properties by including the properties, belonging to Rajaram Naidu, mentioning the same survey numbers, as now they want to amend. The said application was allowed against which CRP No.56 of 2025 was filed and the said revision was allowed by setting aside the order passed by the trial court, against which SLP was preferred and the same was dismissed. Therefore, already the amendment application sought for by the revision petitioners was not considered and dismissed more particularly, with regard to same survey numbers, for which, now they want to include by way of amendment in the written statement. Therefore, in some other way, the revision petitioners want to include the survey numbers which are no way connected with the family of Rangaiah Naidu nor it is a joint family property and it is the exclusive properties of the plaintiffs by way of purchase. Therefore the learned counsel for the respondents pray for dismissal of the revision.

7. Considered the submissions of the learned counsel on either side and perused the materials on record.



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8. The respondents/plaintiffs filed a suit for partition, claiming 1/7th share in the property belonging to their father Rangaiah Naidu. The defendants are the brothers of the original plaintiff G.R.Sridharan and sons of Rangaiah Naidu. As per the written statement filed by the defendants 1 and 2, they narrated certain averments about Rajaram Naidu, who is one of the brothers of Rangaiah Naidu. The plaintiffs state that the properties, belonging to Rajaram Naidu, about 10 acres are under their enjoyment and they are also disputing the Will, said to be executed by Rajaram Naidu.

9. Now the trial commenced. At this stage, the defendants want to amend the written statement by including 25 survey numbers to an extent of 10.57 acres, which is said to be belonged to Rajaram Naidu, but the same was claimed as joint family property and it was admitted by the plaintiffs while issuing notice in the year 1991.

10. As per the contention of the respondents, as on date, as per the sale deed of 2003, the plaintiffs have purchased the entire extent of 10.57 acre, belonging to Rajaram Naidu from the beneficiaries of the Will, said to be executed by him and as on date, they are the absolute owners of the properties of Rajaram Naidu as per the sale deed.



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11. Admittedly, till date, the sale deed is in force and it has not been cancelled through any court of law. Since already amendment application filed by the defendants 2 to 10 seeking to include those survey numbers was dismissed, which was confirmed upto SLP proceedings, again to include those survey numbers by amending the written statement is not permissible. Therefore, the findings of the trial court require no interference.

12. In the result, the civil revision petition is dismissed. If at all, the revision petitioners are in possession of the properties, belonging to Rajaram Naidu, they can work out their remedy by filing a separate suit, but not in the suit filed by the plaintiffs. No costs. Consequently, connected miscellaneous petition is closed.

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sr
Index:yes/no
Website:yes/no
Speaking Order/Non-speaking Order

To

The I Additional District Court, Tiruvallur

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T.V.THAMILSELVI.,J

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